

**MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
REGULAR GOVERNING BOARD MEETING
MONDAY, APRIL 24, 2017 - 10:00 A.M.
BOARD CHAMBERS, MDAQMD OFFICES
VICTORVILLE, CA**

MINUTES

Board Members Present:

Jim Cox, Chair, City of Victorville
Carmen Hernandez, City of Barstow
Joseph “Joey” DeConinck, City of Blythe
Robert Leone, Town of Yucca Valley
Rebekah Swanson (Alternate), City of Hesperia
Barb Stanton, Town of Apple Valley
John Cole, City of Twentynine Palms
Barbara Riordan, Public Member
Marion Ashley, Riverside County
Robert Lovingood, San Bernardino County

Board Members Absent:

James Ramos, San Bernardino County
Ed Camargo, City of Adelanto
Jeff Williams, Vice Chair, City of Needles

CALL TO ORDER

Chair **JIM COX** called the meeting to order at 10:00 a.m. and asked Board Member Carmen Hernandez to lead the Pledge of Allegiance.

Chair **JIM COX** asked for roll call; roll was called.

Chair **JIM COX** called for items with potential conflict of interest; Agenda Item #5 Governing Board Members & Dave Corder.

Chair **JIM COX** called for PUBLIC COMMENT – None made at this time.

CLOSED SESSION

Upon Motion by Board Member **BARB STANTON**, Seconded by Board Member **ROBERT LOVINGOOD** and carried by unanimous roll call vote, the Board adjourned to Closed Session at 10:04 a.m.

Agenda Item 1 - CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6). Agency Designated Representatives: Roger Crawford. Employee Organization: Teamsters Local 1932.

Agenda Item 2 - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Name of Case: Michele Baird vs MDAQMD et. al CIVDS 1612446 San Bernardino County Superior Court (Government Code Section 54956.9).

OPEN SESSION - Disclosure of any Reportable Action(s) taken in Closed Session(s); and the Vote and Abstention of Every Member Present in the Closed Session.

The Governing Board reconvened to open session at 10:33 a.m., and Special Counsel **Piero Dallarda** stated that the Board met in Closed Session on Items #1 and #2 with no reportable action on Item #2. Special Counsel Dallarda reported for Item #1 the Board voted on reaching a tentative agreement with the employee organization Teamsters Local 1932 subject to a final agreement that will be presented to the board in June for final approval at that time all the terms of the agreement will be made public prior to approval by the board. Upon motion by Board Member **ROBERT LOVINGOOD**, Seconded by Board Member **BARBARA RIORDAN**, and carried by unanimous roll call vote, with ten **AYES** votes by Board Members **JOSEPH DECONINCK, MARION ASHLEY, ROBERT LOVINGOOD, REBEKAH SWANSON, CARMEN HERNANDEZ, BARB STANTON, BARBARA RIORDAN, JIM COX, JOHN COLE, and ROBERT LEONE.**

CONSENT CALENDAR - The following consent items were acted upon by the Board at one time without discussion, upon motion by Board Member **ROBERT LOVINGOOD**, Seconded by Board Member **REBEKAH SWANSON**, and carried by unanimous roll call vote, with nine **AYES** votes by Board Members **JOSEPH DECONINCK, MARION ASHLEY, ROBERT LOVINGOOD**, record to reflect that Board Member **ROBERT LOVINGOOD** abstained on Agenda Item #3, **REBEKAH SWANSON, CARMEN HERNANDEZ, BARB STANTON, BARBARA RIORDAN, JIM COX, JOHN COLE and ROBERT LEONE** as follows:

Agenda Item 3 – Approve Minutes from Regular Governing Board Meeting of March 27, 2017.
Approved the minutes from the Regular Governing Board meeting of March 27, 2017.

Agenda Item 4 – Amend Governing Board Policy 04-02, Annual Evaluation of Executive Director/APCO.

Amended Governing Board Policy 04-02, Annual Evaluation of Executive Director/APCO.

Agenda Item 5 – Reappoint Dave Corder, to the Hearing Board of the Mojave Desert Air Quality Management District (MDAQMD) as the public member for a 3 year term to expire April 24, 2020.

Reappointed Dave Corder, to the Hearing Board of the Mojave Desert Air Quality Management District (MDAQMD) as the public member for a 3 year term to expire April 24, 2020.

Agenda Item 6 – Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 301 Permit Fees and approval of California Environmental Quality Act (CEQA) documentation. The June 12, 2017 public hearing will be opened and continued to June 26, 2017.

Approved the set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 301 Permit Fees and approval of California Environmental Quality Act (CEQA) documentation. The June 12, 2017 public hearing will be opened and continued to June 26, 2017.

Agenda Item 7 – Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 102 Definition of Terms and approval of California Environmental Quality Act (CEQA) documentation.

Approved the set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 102 Definition of Terms and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 8 – Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 1158 Electric Generating Facilities and approval of California Environmental Quality Act (CEQA) documentation.

Approved the set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 1158 Electric Generating Facilities and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 9 – Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 1162 Polyester Resin Operations and approval of California Environmental Quality Act (CEQA) documentation.

Approved the set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 1162 Polyester Resin Operations and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 10 – Receive and File: The Legislative Report for April 6, 2017.
Received and filed the Legislative Report for April 6, 2017.

Agenda Item 11 – Receive and File: The air toxics informational report.
Received and filed the air toxics informational report.

Agenda Item 12 – DEFERRED ITEMS:
None

Agenda Item 13 – PUBLIC COMMENT.

Darlene Bray, CEMEX, commented on Agenda Item #14: Ms. Bray expressed that CEMEX is grateful for partnering with the AQMD on this project.

Agenda Item 14 – 1) Award an amount not to exceed \$1,000,000 in Carl Moyer Program funds to the Mojave Northern Railroad Company for the replacement of one (1) locomotive with a new lower-emissions locomotive; and 2) Authorize the Executive Director to negotiate target time frames and technical project details and execute an agreement.

1) **Awarded** an amount not to exceed \$1,000,000 in Carl Moyer Program funds to the Mojave Northern Railroad Company for the replacement of one (1) locomotive with a new lower-emissions locomotive; and 2) **Authorized** the Executive Director to negotiate target time frames and technical project details and execute an agreement. Upon motion by Board Member **ROBERT LOVINGOOD**, Seconded by Board Member **REBEKAH SWANSON**, and carried by unanimous roll call vote, with ten **AYES** votes by Board Members **JOSEPH DECONINCK, MARION ASHLEY, ROBERT LOVINGOOD, REBEKAH SWANSON, CARMEN HERNANDEZ, BARB STANTON, BARBARA RIORDAN, JIM COX, JOHN COLE, and ROBERT LEONE.**

Agenda Item 15 – Reports:

Executive Director Brad Poiriez:

Mr. Poiriez updated the Board of past events:

- April 5th – traveled to Blythe, CA and met with Board Member DeConinck, Blythe City Staff Members and Transit Authority Staff Members to discuss the City of Blythe's CNG Station expansion;
- April 5th – attended Southern California Gas Company's BBQ and toured their Compressor Station that will be modified over the next three years;
- April 8th – the District held the Lawn & Garden Electric Equipment Program; the District spent \$5,300 of grant funds and switch out 99 lawnmowers, 51 blowers and 65 trimmers; congratulations and thank you to all staff that helped.

Mr. Poiriez informed the Board of upcoming events:

- April 25th – 28th – attending WRAP Board meeting in San Diego, CA;
- May 1st – 4th – attending NACAA Meeting in Washington, DC; meeting with Representatives and others on the hill;

Mr. Poiriez informed the Board of AB 378 (*Garcia, Cristina D*) *California Global Warming Solutions Act of 2006: regulations.*

- Strategic Partners Group (SPG), the District's consultant regarding state and local legislative and regulatory activity, advises that this assembly bill may be an issue for some of the District's sources;
 - ✓ This bill attempts to cap greenhouse gas emissions but would also cap criteria and toxic to make up for greenhouse gas shortfall thereby taking away some local authority;
 - ✓ The District may need to take an oppose position;
 - ✓ CAPCOA held back support due to concerns with amendments and requirements on districts.

Mr. Poiriez informed the Board of a possible Hearing Board candidate for appointment to the health member vacancy.

Agenda Item 16 - Board Member Comments and Suggestions for Future Agenda Items.

- Board Member Lovingood commented in response to AB 378 and that BLM & EPA have new personnel that he is working with in support of local efforts.
- Board Member Hernandez asked in regard to the Hearing Board vacancy if the District has publicly recruited for this vacancy. She was answered in the affirmative.
- Board Member Stanton affirmed her desire for the District to retain local control.
- Board Member Leone commented that the activity coming from Sacramento tends to be a broad sweep of the state and small cities and towns have difficulties with complying with some of the requirements.

Being no further business, Chair **JIM COX** adjourned the meeting at **11:01 a.m.** to the next Regular Meeting of ***June 12, 2017.***

ACTION OF THE GOVERNING BOARD

APPROVED

Upon Motion by **ROBERT LOVINGOOD**, Seconded by **BARBARA RIORDAN**, as approved by the following roll call vote:

**Ayes: 9 DECONINCK, PEREZ, HERNANDEZ, LOVINGOOD,
RIORDAN, COX, COLE, LEONE, WILLIAMS**

Noes:

Absent: 4 RUSS, RAMOS, CAMARGO, STANTON

Abstain:

Vacant:

DEANNA HERNANDEZ, EXECUTIVE OFFICE MANAGER

BY Deanna Hernandez

Dated: JUNE 12, 2017